

The rejection of Claims 1-20 under 35 U.S.C. § 112

Claims 1, 6, 7, 9, 10, 11, 16, 17, 19, and 20 have been amended to remove the words “a method” and to more clearly define the Applicant’s invention. Applicant submits that claims 1-20, as amended, clearly and distinctly claim the subject matter of the invention. The rejection of claims 1-20 for indefiniteness should be withdrawn.

The rejection of Claims 1-20 and 41 under 35 U.S.C. § 102(b)

Claims 1-20 and 41 are rejected as anticipated by Coltrane under 35 U.S.C. § 102(b). Applicant respectfully submits that the amended claims are not anticipated by Coltrane.

Coltrane discloses an electronically controlled gliding baby basket or container device having a wheel supported platform. Col. 1, lines 5 to 18. According to Coltrane, the grooves in the platform and the casters on the legs of the glider are arranged at particular widths to “properly accommodate” each other. Col. 1, lines 40 to 47; Col. 2, lines 1 to 6. Coltrane’s invention includes both the platform and the glider. “[T]he baby basket or container [form] part of the device”. Col. 1, lines 6 to 7. In fact, Coltrane discloses that “[c]asters provide supports for the platform by means of which the entire structure may be readily and easily moved from place to place in changing the location of the device, or moving the device to the storage room.” Col. 1, lines 49 to 53.

Applicant’s invention is distinguishable from Coltrane in that Applicant’s invention does not include the baby carriage or stroller. One of the novel aspects of Applicant’s invention is that it can be fastened to almost any commercially sold baby stroller and it is not unique to any specific one. Further, Applicant’s invention does not include nor does it require a platform.

The Examiner rejects claims 1 and 11 stating, in part, that Coltrane “shows a portable rocking device for rocking a baby carriage or stroller comprising: . . . A gear (22) fastened to the shaft of said motor; A sliding member (26) having a first end (at 27) engaged with said gear and a second end.” Although the worm gear (22) in Coltrane is fastened to the shaft (14) of the motor (13) through a collar (15), the lever (26) in Coltrane is not engaged with worm gear (22) as asserted by the Examiner. The lever in Coltrane “is formed with the lug so constructed and arranged that it engages the edge of the heart-shaped cam, as the cam rotates.” Col. 2, lines 30 to 32. Therefore, since Coltrane does not disclose “a sliding member having a first end engaged with said gear” as claimed by Applicant in claims 1 and 11, Coltrane cannot anticipate claims 1 and 11.

Dependent claims 2-10 and dependent claims 12-20 incorporate all the limitations of independent claims 1 and 11, respectively, and therefore are not anticipated by Coltrane for the same reasons provided above.

The Examiner rejected claim 41 stating, "the method of rocking a baby carriage or stroller would be inherent and obvious since the prior art reference meet the structural limitations of the claimed device." As stated above, Coltrane does not meet all the structural limitations of the claimed device and the rejection should therefore be withdrawn.

For the above reasons, Applicant respectfully submits that Coltrane does not anticipate claims 1-20 and 41 and therefore, the rejection should be withdrawn.

CONCLUSION

In view of the foregoing, all objections and rejections have been obviated and/or traversed. Allowance of claims 1-20 and 41 is respectfully requested.

The Examiner is invited to contact the undersigned at (516)746-6088 to discuss any matter relating to this application.

Respectfully submitted,

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By: 
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Abstract:

The present invention is a [A] portable device for rocking objects such as baby carriages and strollers. The device comprises [having] a base, a motor, a gear [attached to the shaft of the motor], a sliding member and a fastening means. The gear is attached to the shaft of the motor and the sliding member is attached to the gear [at a first end, and a device at the second end of the]. Attached to the sliding member is a fastening means for fastening the present invention to the device [axle of the object] to be rocked[.] When the present invention is activated[,] the rotational motion of the motor is converted into a linear motion with an adjustable length and speed [and the]. When attached to an object such as a baby [carriage or] stroller, the present invention rocks the object back and forth.

In the Claims:

1. (Amended) A portable rocking device for rocking a baby carriage or stroller comprising:
 - a base;
 - a motor fastened to said base, said motor having a power supply and a rotating shaft;
 - a gear fastened to the [said] shaft of said motor;
 - a sliding member having a first end engaged with said gear and a second end; and
 - a fastening means attached to the[said] second end of said sliding member, said fastening means a method for securing said sliding member to [an axle of said] objects such as baby carriages or strollers.
6. (Amended) The portable rocking apparatus [device] set forth in Claim 1, wherein the speed of rotation of said motor is adjustable.
7. (Amended) The portable rocking apparatus [device] set forth in Claim 1, wherein the length of the stroke of the invention is adjustable.
9. (Amended) The portable rocking apparatus [device] set forth in Claim 1, wherein said base has a

first end and a second end with wheels connected to said first end and a non-sliding material at said second end.

10. (Amended) The portable rocking apparatus [device] set forth in Claim 1, wherein said base has a plurality of wheels attached to it.

11. (Amended) A portable rocking device for rocking a baby carriage or stroller comprising:

a base;

a motor fastened to said base, said motor having a power supply and a rotating shaft;

a gear fastened to the[said] shaft of said motor;

a sliding member having a first end engaged with said gear and a second end;

an extension member having a first end and a second end, said first end of said extension member attached to the [said] second end of said sliding member;

a fastening means attached to the [said] second end of said extension member, said fastening means a method for securing said extension member to [an axle of said] objects such as baby carriages or strollers.

16. (Amended) The portable rocking apparatus [device] set forth in Claim 11, wherein the speed of rotation of said motor is adjustable.

17. (Amended) The portable rocking apparatus [device] set forth in Claim 11, wherein the length of the stroke of the invention is adjustable.

19. (Amended) The portable rocking apparatus [device] set forth in Claim 11, wherein said base has a first end and a second end with wheels connected to said first end and a non-sliding material at said second end.

20. (Amended) The portable rocking apparatus [device] set forth in Claim 11, wherein said base has a plurality of wheels attached to it.

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